

RESOLUTION 11 -

APPROVING THE FINAL PLAT OF SUBDIVISION FOR BRENNER ESTATES SUBDIVISION

WHEREAS, the applicant, Chicago Title Land Trust Company, as successor trustee to LaSalle Bank National Association under Trust Numbers 134641, 133527, 128256, 105194, 111924 and 102081, and as trustee under Trust No. 8002346697, (the "Applicant") has submitted to the Village of Barrington Hills, Illinois (the "Village") a Final Plat of Subdivision for the Brenner Estates Subdivision (the "Final Plat"); and

WHEREAS, the Applicant requested a variation from the requirements of Section 6-4-6(A)(1) of the Village's Subdivision Ordinance to permit the septic system on Lot 4 to have a suitable area of sufficient size to accommodate a septic system equivalent to two times the disposal requirements for a three (3) bedroom house, rather than a five bedroom house (the "Variation"); and

WHEREAS, on August 8, 2011, pursuant to the provisions of the Subdivision Ordinance, the Plan Commission conducted hearings on the request for the Variation and the Final Plat; and

WHEREAS, at the conclusion of the hearing, the Plan Commission recommended approval of the Variation and the Final Plat subject to the conditions set forth in Section 4 below; and

WHEREAS, the Village Board has considered during its regular meeting the recommendations of the Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, a home rule municipality, ("Village Board") as follows:

Section 1. Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this Resolution are true and correct and does incorporate them into this Resolution by this reference.

Section 2. Approval of the Variation. The Village Board hereby approves the Variation.

Section 3. Approval of Final Plat. Subject to Section 4 below, the Final Plat for Brenner Estates Subdivision is hereby approved.

Section 4. Recording of Final Plat. The Village Clerk is authorized and directed to record the executed Final Plat only after:

- (a) all fees have been paid;
- (b) issuance of a permit by the Army Corps of Engineers;
- (c) the Final Plat has been revised to conform to the requirements of Special Counsel to the Plan Commission and the Village Engineer;

- (d) the Final Plat has been signed by all owners of record and delivered to the Village;
- (e) the Declaration of Covenants, Conditions, Restrictions and Easements ("Declaration") is in a form approved by Special Counsel and has been executed by all owners of record and delivered to the Village;
- (f) the Grant of Conservation Right and Easement to the Barrington Area Conservation Trust ("Conservation Easement") has been signed by all owners of record and delivered to the Village;
- (g) the landscape plan has been modified, if modification is recommended by a designated member of the Plan Commission, and delivered to the Village;
- (h) the engineering plans have been modified to address the most current floodplain standard, as determined by the Village Engineer, and delivered by the Village;
- (i) the Applicant has delivered a Performance Guarantee in a form acceptable to the Special Counsel to the Plan Commission, in an amount acceptable to the Village Engineer, from a financial institution that is acceptable to the Village Board and Special Counsel to the Plan Commission, and in conformance with Chapter 5 of the Subdivision Ordinance; and
- (j) the other requirements of the Village's Subdivision Ordinance and the Illinois Plat Act have been met.

In addition, immediately following the recordation of the Final Plat, the Village Clerk is authorized and directed to record the Declaration and the Conservation Easement.

Section 5. Superseder and Effective Date. All resolutions, motions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th DAY OF SEPTEMBER, 2011
AYES __, NAYS: __, ABSENT: __
APPROVED THIS 26TH DAY OF SEPTEMBER, 2011

ATTEST:

Village Clerk

Village President